

## § 1952.252

- (a) Commencement of recruitment and staff training—September 10, 1973.
- (b) Effective date of implementing legislation—October 1, 1973.
- (c) Procedural and interpretative, regulations and standards to become effective—January 1, 1974.
- (d) Enforcement program to be operational—January 1, 1974.
- (e) Public employee program to be operational—July 15, 1974.
- (f) Program to be fully implemented—July 1, 1975.

[38 FR 24896, Sept. 11, 1973. Redesignated at 49 FR 16775, Apr. 20, 1984]

### § 1952.252 Completion of developmental steps and certification.

- (a) In accordance with §1952.253(b), amendments to the Virgin Island legislation were passed March 11, and February 26, 1974.
- (b) In accordance with §1952.253(c), the Virgin Islands occupational safety and health standards were promulgated on March 21, 1974.
- (c) In accordance with §1952.253(a) the Virgin Islands has completed the training as described therein.
- (d) The Virgin Islands has developed and implemented a manual Management Information System.
- (e) In accordance with the requirements of §1952.10 the Virgin Islands safety and health posters for private and public employees were approved by the Assistant Secretary on September 28, 1976.
- (f) The Virgin Islands has developed and implemented an effective Public Information Program.
- (g) The Virgin Islands amended its legislation to:
  - (i) Delete reference to “political subdivisions” and substitute the term “department,” and
  - (ii) To add new sections:
    - (1) “Variations, Tolerances and Exemptions,” and
    - (2) “Disclosure of Confidential Trade Secrets.”
- (h) The Virgin Islands’ Field Operations Manual (FOM) modeled after the Federal FOM has been developed by the State, and approved by the Assistant Secretary.
- (i) The Virgin Islands has developed:
  - (1) An acceptable organizational chart;

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- (2) Job descriptions for V.I. occupational safety and health employees which meet the necessary requirements;
- (3) A procedure to correct a problem of understaffing in the V.I. in terms of plan commitment;
- (4) A procedure for rating and ranking candidates; and
- (5) An Affirmative Action Plan for Equal Employment Opportunity acceptable to CSC.
- (j) In accordance with §1952.253(e), the Virgin Islands implemented the public employee program in July 1975.
- (k) In accordance with §1952.253(c), the Virgin Islands adopted the Administrative Regulations on March 11, 1974.
- (l) In accordance with §1952.253(d), the safety enforcement program in the Virgin Islands was operation in April 1974.

The supplement was approved by the Assistant Secretary on August 3, 1981.

- (m) In accordance with §1902.34 of this chapter, the Virgin Islands’ occupational safety and health plan was certified effective September 22, 1981 as having completed all developmental steps specified in the plan as approved on September 11, 1973, on or before August 31, 1976.

This certification attests to structural completion, but does not render judgment on adequacy of performance.

[40 FR 11352, Mar. 11, 1975, as amended at 41 FR 43406, Oct. 1, 1976; 42 FR 40195, Aug. 9, 1977; 44 FR 76783, Dec. 28, 1979; 45 FR 56054, Aug. 22, 1980; 46 FR 41046, Aug. 14, 1981; 46 FR 46808, Sept. 22, 1981. Redesignated at 49 FR 16775, Apr. 20, 1984]

### § 1952.253 Final approval determination.

- (a) In accordance with section 18(e) of the Act and procedures in 29 CFR part 1902, and after a determination that the State met the “fully effective” compliance staffing benchmarks established in response to a Court Order in *AFL-CIO v. Marshall* (CA 74-406), and was satisfactorily providing reports to OSHA through participation in the Federal/State Unified Management Information System, the Assistant Secretary evaluated actual operations under the Virgin Islands State plan for a period of at least one year following